

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE TRANSPACIFIC  
PASSENGER AIR  
TRANSPORTATION ANTITRUST  
LITIGATION

Case No. [07-cv-05634-CRB](#)

**ORDER DENYING MOTION TO  
ALLOW CLAIM OF MICHAEL  
CHEKIAN**

This Document relates to:  
ALL ACTIONS

An individual class member, Michael Chekian, filed a motion to allow his claim. See Mot. (dkt. 1334). Chekian asserts that he filed a Phase 3 claim on July 8, 2019, and that he never heard anything from the Administrator, Rust, until he learned in March 2022 that a friend had received a settlement check; at that point he contacted Rust to find out what happened. Id. at 2. Rust told Chekian that it had received a Phase 1 claim from him in March 15, 2015, had sent an audit letter to the address listed in the Phase 1 claim, and that Chekian did not respond. Id. at 2–3. Chekian asserts that he does not recall submitting a Phase 1 claim in 2015. Id. at 3. He moves the Court to allow his July 8, 2019 Phase 3 claim.

Chekian has had multiple opportunities to gather the materials that would support his claim. At the motion hearing on May 20, 2022, the Court allowed him four weeks to find supporting documentation. See Motion Hearing (dkt. 1338). The Court then granted Chekian an extension of time until September 30, 2022. See Motion Hearing (dkt. 1343). When the Court granted Plaintiffs’ motion for secondary distribution of remaining settlement funds in January of 2023, it authorized a holdback for Chekian. See Order (dkt. 1378) at 2; see also id. at 2 n.1 (“If Mr. Chekian is unable to produce adequate support for

1 his claim, the [holdback], or a relevant portion thereof, will be subject to cy pres  
2 distribution.”). In January of this year, Plaintiffs submitted a Notice to the Court, stating  
3 that “[n]either the settlement administrator, Rust, nor Class Counsel have received any  
4 additional supporting documentation from Mr. Chekian to prove his claim since the  
5 [hearing on the motion for secondary distribution].” Notice (dkt. 1397) at 1. Moreover,  
6 “on November 14, 2024, Rust emailed Mr. Chekian to provide a case status update, inform  
7 him that Rust had not received any further supporting documentation from him since  
8 September 30, 2022, notify him that he is entitled to \$96.79 for the initial distribution  
9 based on all supporting documentation he provided, and asked him if he had any  
10 questions.” Id. at 2. Chekian did not respond. Id. Nor has Chekian filed anything with  
11 this Court in response to that Notice.

12 Accordingly, good cause appearing therefor, Chekian’s motion is DENIED.

13 **IT IS SO ORDERED.**

14 Dated: March 10, 2025



15 CHARLES R. BREYER  
16 United States District Judge  
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